

Message

From: McGuigan, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C088500566BD4BCCBF37B91ED9A8CC3C-DMCGUIGA]
Sent: 4/9/2018 8:22:45 PM
To: Randy.Casey@dmme.virginia.gov
CC: McManus, Catharine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9d16ce1d989348408f96ce352a209d2d-McManus, Ca]; Lueckenhoff, Dominique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f0c0739371f9474c8abb685a920d6d83-Dluecken]; Andrew Dinsmore [Dinsmore.Andrew@epa.gov]; Trulear, Brian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8aac555546b5494c9a7d5bb55dea118d-Btrulear]
Subject: Requesting Review of Virginia Mining Permitting and Compliance Work Plans
Attachments: VA__Mining_Compliance_Assurance_Plan_2018-03-26.docx; R3 Final Compliance Assurance Framework 192018.docx

Randy,

I hope this finds you well, and as we move into spring, we also move into the annual planning process. This email is a request for your participation in the development of state specific federal permitting and compliance workplans. During the Fall 2017 NPDES States Meeting, EPA discussed how it hoped to use our permitting and enforcement planning process to further the goals of cooperative federalism. This was in response to the Strategic Framework document (see attached) that the Region developed in consultation with Region III states. This document has been shared with States at the secretary level for review and comment and was finalized this January. Principally, what this document calls for is for each of the media programs to develop a Compliance Assurance Plan in consultation with our states. These plans would define the scope of our federal activities to address key programmatic and environmental priorities taking into consideration state capacity and the authorization status of the state. For authorized programs, EPA recognizes that the state is primarily responsible for implementing the NPDES program and the federal role is to ensure that the States are implementing the programs as required by regulation and providing technical and legal assistance to the States. In NPDES program, we have also decided to include permitting activities in these plans to recognize the importance of both compliance and permitting in achieving our shared environmental and compliance activities.

The workplans are structured around programmatic and sector priorities, namely, Core Program, Municipal (CSO/SSO), CAFO, Stormwater, Mining, and Pretreatment. The workplans include the following elements:

- A description of the problem being addressed.
- The status of the state program in addressing the priority based upon program evaluations and other informational sources.
- Outstanding issues that need to be addressed.
- Intended EPA activities to assist the state in addressing the problem/issue.
- Measures to track progress

It is important to note that these are state specific, meaning not all states will have the same plans, nor will their content be the same. For VaDMME, you will find a Mining Work Plan. We have forwarded work plans on the following topic areas to VaDEQ: Core, CAFO, Stormwater, Municipal, and Pretreatment. Additionally, these should be viewed as multi-year work plans that will be revisited at least annually to reflect state programmatic changes or changes in the regulated community. It is hoped that these plans will provide a framework for both EPA and the states to work cooperatively together to strengthen the state program.

We would be interested in your review and comment by April 25th. If you have any questions or would like to arrange a conference call to discuss. Please do not hesitate to call me.

David

David B. McGuigan, Ph.D.
Associate Director,
Office of NPDES Permits and Enforcement
Tel: 215-814-2158
Cell: 215-514-9651